

Introduced Dec. 6, 2010
Public Hearing Dec. 20, 2010
Council Action Jan 3, 2011
Executive Action Jan 5, 2011
Effective Date Jan 5, 2011

County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 13

Transfer of Appropriation Ordinance No. 1 Fiscal Year 2011

Introduced by: The Chairperson at the request of the County Executive

AN ACT transferring \$75,000,000 \$73,000,000 in grant funding to capital project C0414,
One Maryland Broadband Plan, from capital project C0214, Category Contingency
Fund.

Introduced and read first time Dec. 6, 2010. Ordered posted and hearing scheduled.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on Dec. 20, 2010.

By order Stephen LeGendre
Stephen LeGendre, Administrator

This Bill was read the third time on Jan 3, 2011 and Passed ✓, Passed with amendments ✓, Failed .

By order Stephen LeGendre
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5th day of January, 2011 at 10:00 a.m./p.m.

By order Stephen LeGendre
Stephen LeGendre, Administrator

Approved by the County Executive January 5, 2011

Ken Ulman
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, pursuant to the American Recovery and Reinvestment Act, the
2 ~~County has been awarded grant funds in the amount of \$75,000,000 from the United~~
3 County, as a sub-recipient to the State of Maryland, will manage over \$72,000,000 in
4 grant funds awarded by the United States Department of Commerce for the One
5 Maryland Broadband Plan; and

6
7 **WHEREAS**, the One Maryland Broadband Plan will be administered by Howard
8 County and is a coordinated effort of the following jurisdictions: Anne Arundel County,
9 the City of Annapolis, Baltimore County, the City of Baltimore, Carroll County,
10 Frederick County, Harford County, Montgomery County, and Prince George's County;
11 and

12
13 **WHEREAS**, grant funding will be used to administer, purchase, and install dark
14 fiber infrastructure across the above referenced local government jurisdictions; and

15
16 **WHEREAS**, the purpose of the One Maryland Broadband Plan is to interconnect
17 local government, state and private networks; to improve public safety operability; to
18 foster economic development; and to directly connect over 800 community anchor
19 institutions including schools, libraries, community centers, and other public facilities;
20 and

21
22 **WHEREAS**, by passage of Council Bill No. 54-2010, the Howard County
23 Council added new capital project C0414, One Maryland Broadband Plan, to the Annual
24 Budget and Appropriation Ordinance of Howard County, Fiscal Year 2011; and

25
26 **WHEREAS**, Section 609(b) of the Howard County Charter authorizes and
27 empowers the Howard County Council to make such transfers; and

28
29 **WHEREAS**, the Director of Finance has certified that the appropriation to be
30 transferred is not encumbered and is available for transfer.

1 **Section 1. Be It Enacted by the County Council of Howard County, Maryland, that,**
2 **subject to the provisions of Maryland law, the Howard County Charter, and the Howard**
3 **County Code relating to the budgetary and fiscal procedures, the amount hereafter**
4 **specified is hereby approved, appropriated, and authorized to be disbursed for the**
5 **general County purposes specified and in sums itemized for the fiscal year beginning July**
6 **1, 2010 and ending June 30, 2011, as hereinafter indicated:**

7

8 **Recipient Project:**

9 C0414 One Maryland Broadband Plan

10	Appropriation Fiscal Year 2011 before transfer	\$0	
11	Plus amount transferred from C0214	\$75,000,000 <u>\$73,000,000</u>	(G)
12	Appropriation Fiscal Year 2011 after transfer	\$75,000,000 <u>\$73,000,000</u>	

13

14 **Donor Project:**

15 C0214 Category Contingency Fund

16	Appropriation Fiscal Year 2011 before transfer	\$100,100,000 <u>\$101,600,000</u>	
17	Less amount transferred to C0414	\$75,000,000 <u>\$73,000,000</u>	(G)
18	Appropriation Fiscal Year 2011 after transfer	\$25,100,000 <u>\$28,600,000</u>	

19

20 **Section 2. And Be It Further Enacted by the County Council of Howard County,**
21 **Maryland that this Transfer of Appropriation Ordinance shall be effective upon its**
22 **enactment.**

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

January 5, 2011.

Stephen M. LeGendre
Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2011.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2011.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2011.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2011.

Stephen M. LeGendre, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2011.

Stephen M. LeGendre, Administrator to the County Council

Amendment to Transfer of Appropriation Ordinance No. 1 Fiscal Year 2011

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No. 1
Date: January 3, 2011**

Amendment No. 1

(This amendment reduces the amount of funds transferred, clarifies the County's role as a grant sub-recipient and makes a technical correction.)

- 1 In the following instances, strike "\$75,000,000" and substitute "\$73,000,000":
2 (a) In the first line of the title; and
3 (b) On page 2, in lines 9, 10 and 15.
4
5 On page 1, strike line 2 in its entirety, and substitute "County, as a sub-recipient to the State of
6 Maryland, will manage over \$72,000,000 in grant funds awarded by the United".
7
8 On page 2, in line 14, strike "\$100,100,000" and substitute "\$101,600,000".
9
10 On page 2, in line 16, strike "\$25,100,000" and substitute "\$28,600,000".

ADOPTED January 3, 2011

FAILED

SIGNATURE

Stephen M. Bland